

Prob. 17
(Rev. 3/88)

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. JAY HARRY LOCKE

Docket No. 95-00009-001 ERIE

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Jay Harry Locke, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 27th day of November 1995, who fixed the period of supervision at eight years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic drug tests thereafter. Further, the defendant shall be required to contribute to the cost of services for any such treatment not to exceed an amount determined reasonable by the probation officer's sliding scale for substance abuse treatment services.
- The defendant shall pay to the United States a special assessment of \$100.

- 11-27-95: Conspiracy to Distribute and Possess With Intent to Distribute Controlled Substances, Distribute/Possess With Intent to Distribute Less Than 50 Kilograms of Marijuana, Use of Firearms in Relation to Drug Trafficking Crime, and Conspiracy to Launder Monetary Instruments; Sentenced to 204 months' custody of the Bureau of Prisons, to be followed by 8 years' supervised release.
- 03-01-00: Judgment modified by United States District Judge Sean J. McLaughlin to 90 months' custody of the Bureau of Prisons, to be followed by 6 years' supervised release.
- 08-06-01: Released to supervision; Currently supervised by U.S. Probation Officer David J. Conde.
- 04-06-05: Bench warrant issued by United States District Judge Sean J. McLaughlin.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that the Court was advised on April 5, 2005, that Mr. Locke received new criminal charges. On April 6, 2005, the Court ordered that an arrest warrant be issued against Mr. Locke and that it be lodged as a detainer against him at the Erie County Prison. Since then, Mr. Locke has been convicted and sentenced at various charges which are docketed at four case numbers. Mr. Locke was sentenced by the Erie County Court of Common Pleas at the following case numbers: Criminal No. 903 of 2005: Recklessly Endangering, sentenced on October 28, 2005, to 12 to 24 months' state custody, to be served consecutive to Count 2 of Criminal No. 1651 of 2005; Criminal No. 1553 of 2005: Terroristic Threats, sentenced on December 5, 2005, to 24 months' probation, to be served consecutively to Criminal No. 903 of 2005; Criminal No. 1544: Violation of the Controlled Substance, Drug, Device, and Cosmetic Act-Possession of Methamphetamine, sentenced on October 28, 2005, to 27 to 120 months' state custody, to be served consecutive to Criminal No. 1651 of 2005; and Criminal No. 1651 of 2005: Manufacturing, Distribution, Possession With Intent to Manufacture or Distribute Methamphetamine, sentenced

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on October 28, 2005, to 30 to 120 months' state custody. In all, Mr. Locke received a sentence of 12 years and 11 months (153 months) to 36 years (432 months) in state custody. The defendant appealed his sentence to the Pennsylvania Superior Court and the case was docketed at 145 WDA 2006. On August 29, 2006, the Pennsylvania Superior Court denied Mr. Locke's Petition for Allowance of Appeal.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom C, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on August 3 at 130p to show cause why supervision should not be revoked.

ORDER OF COURT

Considered and ordered this 10th day of July, 20 07 and ordered filed and made a part of the records in the above case.

U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on

July 9, 2007
David J. Conde
David J. Conde
U.S. Probation Officer

Gerald R. Buban
Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, PA